



9
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: UCKUN
Serial No.: 09/345,815
Filed: JUNE 30, 1999
Due Date: AUGUST 22, 2002
Title: METHOD FOR INHIBITING C-JUN EXPRESSION USING JAK-3 INHIBITORS

Examiner: P. ROBINSON
Group Art Unit: 1653
Docket: 12152.77USU1

RCE #
1600
RECEIVED

AUG 14 2002

TECH CENTER 1600/2900

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202 on August 6, 2002.

By: *Marlene A. Warch*

Name: *Marlene A. Warch*

U.S. Patent and Trademark Office
Box Sequence, P.O. Box 2327
Arlington, VA 22202

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Small entity status has been previously established
- ☒ Check(s) in the amount of \$370.00 for RCE Filing Fee
- ☒ Computer readable form of Sequence Listing. Applicants state that the paper copy form of the Sequence Listing section of the present application, and the computer readable form submitted herewith, are the same.
- ☒ Other: Request for Continued Examination Under 37 C.F.R. §1.114, Copy of Grant of Petition, Certificate Regarding Sequence Listing and Associate Power of Attorney
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By: *Anna M. Nelson*

Name: Anna M. Nelson

Reg. No.: 48,935

ANelson:PSTkaw



DISK TO STIC

DATE: _____



Match & Return

(PTO TRANSMITTAL - GENERAL)



RECEIVED

AUG 14 2002

#22 Reg
Reg. No. 48,935
6/9/03

IN 09/345,815

TECH CENTER 1600/2900

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	UCKUN	Examiner:	P. ROBINSON
Serial No.:	09/345,815	Group Art Unit:	1653
Filed:	JUNE 30, 1999	Docket No.:	12152.77USU1
Title:	METHOD FOR INHIBITING C-JUN EXPRESSION USING JAK-3 INHIBITORS		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202, on August 6, 2002.

By: *Kristina A. Ucker*
Name: *Kristina A. Ucker*

REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. §1.114

U.S. Patent and Trademark Office
Box Sequence, P.O. Box 2327
Arlington, VA 22202

Dear Sir:

Under 37 C.F.R. §1.114, it is respectfully requested that this application be accorded the benefits of Continued Examination.

Our check in the amount of \$370.00 is enclosed to cover the required fee for a small entity.



Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: *August 6, 2002*

Anna M. Nelson

Anna M. Nelson
Reg. No. 48,935
AMN:PSTkaw

08/13/2002 AMONDAF1 00000044 09345815

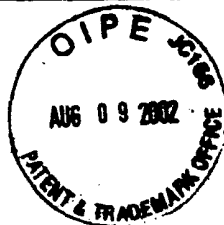
01 FC:279

370.00 00



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov



Pap r No. 19

TECH CENTER 1600/2900

AUG 14 2002

RECEIVED

DENISE M. KETTELBERGER
P. O. BOX 2903
MINNEAPOLIS MN 55402-0903

AMN

COPY MAILED

JUL 22 2002

OFFICE OF PETITIONS

ON PETITION

In re Application of
Uckun
Application No. 09/345,815
Filed: 06/30/1999
Attorney Docket No. 957.001US1

12152.77 USU

Response Aug 22, 2002 N

FACTS

This is a decision on the September 6, 2001 petition which requests under 37 C.F.R. §1.182 that the office allow the entry of the sequence listing attached to the petition. The petition fee has been received. The office sincerely apologizes for the delay and any inconvenience caused by it.

RULES

§1.182 Questions not specifically provided for.

All situations not specifically provided for in the regulations of this part will be decided in accordance with the merits of each situation by or under the authority of the Commissioner, subject to such other requirements as may be imposed, and such decision will be communicated to the interested parties in writing. Any petition seeking a decision under this section must be accompanied by the petition fee set forth in §1.17(h).

§1.314 Issuance of patent.

If applicant timely pays the issue fee, the Office will issue the patent in regular course unless the application is withdrawn from issue (§1.313) or the Office defers issuance of the patent. To request that the Office defer issuance of a patent, applicant must file a petition under this section including the fee set forth in § 1.17(h) and a showing of good and sufficient reasons why it is necessary to defer issuance of the patent.

§1.312 Amendments after allowance.

No amendment may be made as a matter of right in an application after the mailing of the notice of allowance. Any amendment filed pursuant to this section must be filed before or with the payment of the issue fee, and may be entered on the recommendation of the primary examiner, approved by the Commissioner, without withdrawing the application from issue.

§ 1.313 Withdrawal from issue.

(c) Once the issue fee has been paid, the application will not be withdrawn from issue upon petition by the applicant for any reason except:

(1) Unpatentability of one or more claims, which petition must be accompanied by an unequivocal statement that one or more claims are unpatentable, an amendment to such claim or claims, and an explanation as to how the amendment causes such claim or claims to be patentable;

(2) Consideration of a request for continued examination in compliance with § 1.114; or

(3) Express abandonment of the application. Such express abandonment may be in favor of a continuing application.

(d) A petition under this section will not be effective to withdraw the application from issue unless it is actually received and granted by the appropriate officials before the date of issue. Withdrawal of an application from issue after payment of the issue fee may not be effective to avoid publication of application information.

ANALYSIS

Applicant seeks to amend the record after payment of the issue fee. This is specifically prohibited by 37 C.F.R. §1.312. However, this situation *is* provided for under 37 C.F.R. §1.314. Accordingly, since 37 C.F.R. §1.182 applies only in situations that are not specifically provided for under the regulations, the petition under 37 C.F.R. §1.182 is **dismissed**.

The proper method for achieving the desired ends is to file a petition under 37 C.F.R. §1.314 to defer issuance of the patent.

Accordingly, this petition will be treated as a petition to defer issuance under that rule and that request is **granted**. Petitioner is given one month to file a request for continued examination. The sequence listing provided will serve as the required submission under 37 C.F.R. §1.114.

If the RCE is not received by the office within one month of the date of this mailing, the application will be forwarded to Publications division for processing into a patent.

Telephone inquiries relative to this decision should be directed to Petitions Attorney Scott M. Ledford at (703) 306-5593.

A handwritten signature in black ink, appearing to read "Scott M. Ledford", is written over the printed name.

Scott M. Ledford
Senior Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy